REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application is un-patentable under the provisions of 35 U.S.C. § 103. Thus, the Applicants believe that all of these claims are now in allowable form. The Applicants amended claim 1 above to correct informalities. No new matter was added.

I. REJECTION OF CLAIMS 1-12 UNDER 35 U.S.C. § 103

The Examiner rejected claims 1-12 in the Office Action under 35 U.S.C. § 103 as being un-patentable over Baum et al., U.S. Patent Publication No. 2003/0211839, published on November 13, 2003, herein referred to as "Baum" in view of the Examiner's taking of Official Notice. The Applicants respectfully traverse the rejection.

Baum teaches methods and an apparatus for providing emergency telephone service to IP-Based telephone users. For purposes of servicing emergency calls a telephone number is associated with each edge router port used to provide IP service to a customer premise location. (See Baum, Abstract).

The Examiner's attention is directed to the fact that Baum and the Examiner's taking of Official Notice, alone or in any permissible combination, fail to teach or to suggest an access architecture for real-time communications comprising an inter-architecture network comprising a plurality of external networks utilizing a single protocol, wherein each one of the plurality of external networks uses a different access protocol and a plurality of border elements, each of the border elements in communication with the inter-architecture network and each of the border elements in communication with a respective external network of the plurality of external networks, wherein each of the border elements converts the different access protocol of the respective external network to the single protocol, as positively claimed by the Applicants' independent claim 1. Specifically, Applicants' independent claim 1 recites:

> 1. An access architecture for real-time communications, comprising:
> an inter-architecture network comprising a plurality of external networks utilizing a single protocol, wherein each one of said plurality of external networks uses a different access protocol;
> a plurality of border elements, each of said border elements in communication with said inter-architecture network and each of said border

elements in communication with a respective external network of said plurality of external networks, <u>wherein each of said border elements converts said different access protocol of said respective external network to said single protocol</u>; and
  a plurality of call control elements, each of said call control elements in communication with said inter-architecture network. (Emphasis added).

In one embodiment, Applicants' invention is an access architecture for real-time communications comprising an inter-architecture network <u>comprising a plurality of external networks utilizing a single protocol, wherein each one of the plurality of external networks uses a different access protocol</u> and a plurality of border elements, each of the border elements in communication with the inter-architecture network and each of the border elements in communication with a respective external network of the plurality of external networks, <u>wherein each of the border elements converts the different access protocol of the respective external network to the single protocol</u>. For example, the Applicants' invention may provide real-time communication services using a variety of media among the communicating entities or parties, which may accommodate a variety of call control protocols for establishing the communicating session. (See e.g., Applicants' specification, p. 3, ll. 1-6).

The alleged combination (as taught by Baum) fails to teach or make obvious the Applicants' invention because Baum fails to teach or suggest an access architecture for real-time communications comprising an inter-architecture network <u>comprising a plurality of external networks utilizing a single protocol, wherein each one of the plurality of external networks uses a different access protocol</u> and a plurality of border elements, each of the border elements in communication with the inter-architecture network and each of the border elements in communication with a respective external network of the plurality of external networks, <u>wherein each of the border elements converts the different access protocol of the respective external network to the single protocol</u>. Notably, Baum appears to teach that the edge routers are each coupled to a network using identical protocols. (See Baum, FIG. 1; para. [0057] – [0061]). Therefore, Baum fails to teach or make obvious the Applicants' independent claim 1.

The Examiner concedes that Baum fails to teach each external network uses a different access protocol. However, the Examiner alleges Baum teaches using a Layer 3 network to connect with different Layer 2 networks. The Applicants respectfully

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disagree. The Examiner again cited the same reference. The Applicants respectfully direct the Examiner's attention to Baum, FIG.5 and the paragraphs cited by the Examiner. In direct contrast to Examiner's assertion, the cited paragraphs teach using the same access protocol. That is, both layer 2 networks 501 and 503 are Ethernet LANs that use Ethernet protocol (i.e., the same protocol). Also, Baum teaches the routers that serve as protocol conversion devices include Ethernet frames. (See Baum, Paragraph [0015] and [0016], Lines 3-4). As such, the Applicants respectfully submit that Baum fails to disclose or suggest a plurality of external networks utilizing a single protocol, wherein each one of the plurality of external networks uses a different access protocol.

Moreover, the Official Notice asserted by the Examiner does not bridge the substantial gap left by Baum because the Official Notice asserted by the Examiner also fails to teach or suggest an access architecture for real-time communications comprising an inter-architecture network comprising a plurality of external networks utilizing a single protocol, wherein each one of the plurality of external networks uses a different access protocol and a plurality of border elements, each of the border elements in communication with the inter-architecture network and each of the border elements in communication with a respective external network of the plurality of external networks, wherein each of the border elements converts the different access protocol of the respective external network to the single protocol. Thus, for all of the above reasons, the Applicants respectfully contend that claim 1 of the present invention is not made obvious by the combination of Baum and the Official Notice asserted by the Examiner.

Furthermore, Applicants respectfully challenge the Examiner's taking of Official Notice. It is respectfully requested that the Examiner provides specific support for the Official Notice.

Moreover, dependent claims 2-12 depend from independent claim 1 and recite additional limitations. As such, and for the exact same reason set forth above with regard to the independent claim 1 being patentable over Baum and the Official Notice asserted by the Examiner, the Applicants submit that claims 2-12 are also patentable over Baum and the Official Notice asserted by the Examiner. As such, the Applicants respectfully request the rejection be withdrawn.

Conclusion

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. § 103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final rejection in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 842-8110 Ext. 130 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.
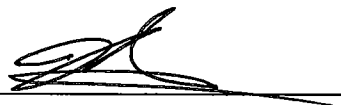
Respectfully Submitted,

February 23, 2009

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